

OPINION
50-68

October 18, 1950 (OPINION)

GAME AND FISH

RE: Forfeiture of License

Yours of the seventeenth inst. received. You ask about the construction of section 20-0337 N.D.R.C. 1943.

This section hardly needs any interpretation. It plainly says that a person convicted of a game law violation, in addition to any fine and imprisonment inflicted by the court "shall forfeit any license or permit held by him for the privilege he has violated,".

The forfeiture follows automatically any conviction. There is no option for the court but to declare the forfeiture. We believe that the court should enter in its docket the fact of such forfeiture, and that such forfeiture may not be imposed by a game warden. However, if a warden finds one who has been convicted of a violation, exercising rights conferred by his license or permit, he may arrest such person, and the person arrested may not rely upon his license or permit to justify his further exercising the rights conferred by the license or permit which has been forfeited by his conviction.

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Attorney General